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Express Mail No.: EL 752241955 US

9D-HR-19273
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McDonald et al.

Serial No.: 09/484,292

Filed: January 18, 2000

For: CONDENSER

:
: Art Unit:
:
: Examiner:
:
:
:

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**PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT OR, IN THE
ALTERNATIVE, FOR REVIVAL OF AN UNINTENTIONALLY ABANDONED PATENT
APPLICATION**

Box DAC
Hon. Commissioner for Patents
Washington, D.C. 20231

Pursuant to 37 C.F.R. § 1.181 and MPEP 711.03(c) II, Applicants hereby petition to withdraw holding of abandonment. Through a status check by telephone, Applicants have learned that the above-identified application has been held to be abandoned. Specifically in the telephone status check, Applicants have learned that A Response to the Notice to File Missing Parts of Nonprovisional Application, mailed April 6, 2000, has not been indicated by the USPTO as having been received. However, a Response was deposited with the United States Postal Service as first class mail in an envelope addressed to: Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231, on April 25, 2000, and included a signed certificate of mailing (a copy of the Response including the certificate of mailing is enclosed). An authorization to charge the fee of \$130.00 to a Deposit Account was included with the Response.

Applicants respectfully submit that Applicants' file copy of the RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION is indicative of Applicants responding to the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION. Accordingly, Applicants respectfully request that the holding of abandonment be withdrawn. Specifically, Applicants request that Applicants' file copy of the RESPONSE TO NOTICE TO FILE

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MISSING PARTS OF NONPROVISIONAL APPLICATION submitted herewith, the fee of \$130.00 under 37 C.F.R. § 1.16(e) be accepted and that the holding of abandonment be withdrawn.

Applicants believe that the fee due for this petition under 37 C.F.R. § 1.181 is \$130.00 (37 C.F.R. § 1.17(h)) and the Commissioner is hereby authorized to charge payment of the total fees due in the amount of \$260.00 to deposit account 01-2384. If \$260.00 is not the correct fee, then the Commissioner is hereby authorized to charge the correct fee to deposit account 01-2384.

If the above petition under 37 C.F.R. § 1.181 is not granted, then pursuant to 37 C.F.R. §§ 1.316 and 1.137(b), and MPEP 711.03(c) III, Applicants hereby petition to revive the subject patent application as unintentionally abandoned. The following authorizations and statements are provided in accordance with 37 C.F.R. 1.137(b):

- (1) Authorization to charge the late filing fee under 37 C.F.R. § 1.16(e) to a deposit account is set forth below in Paragraph (4).
- (2) Authorization to charge the petition fee (37 C.F.R. 1.17(m)) is set forth below in Paragraph (4).
- (3) The entire delay in the filing of the required reply from the due date for the reply until the filing of this petition was unintentional.

(4) Fees:

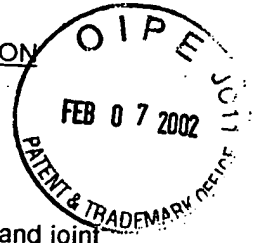
a.	Payment of the late filing fee	\$ 130.00
b.	Petition fee (37 C.F.R. 1.17(m))	<u>\$ 1,280.00</u>

TOTAL FEES DUE: \$ 1,410.00

The Commissioner is hereby authorized to charge payment of the total fees due in the amount of \$1,410.00, any deficiencies in the enclosed fees, or credit any overpayment, to Deposit Account No. 01-2384. (A duplicate of this petition is enclosed.)

- (5) Enclosed is a copy of the RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, including:
 - a. A signed declaration.

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION



As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled Condenser, the specification of which:

(check ☐ is attached hereto.

one) ☒ was filed on January 18, 2000 as Application Serial No. 09/484,292 and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby appoint H. Neil Houser, Reg. No. 28,859, Legal Operation, Appliance Park 2-225, Louisville, KY 40225; and George L. Rideout, Jr., Reg. No. 43,880, Legal Operation, Appliance Park 2-225, Louisville, KY 40225, and H.J. Policinski, Reg. No. 26,621, General Electric Company, 3135 Easton Turnpike, Bldg. W3D, Fairfield, CT 06431-0001, jointly, and each of them severally, my attorneys and attorney, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. I hereby direct that all correspondence and telephone calls in connection with this application be addressed to the said H. Neil Houser, General Electric Company, at Appliance Park 2-225, Louisville, Kentucky 40225; (502) 452-4653
(mailing address) (Telephone No.)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Neil Kent McDonald

Inventor's signature *Neil K. McDonald*
Residence Louisville, Kentucky
Citizenship United States
Post Office Address 1108 Marci Lane, Georgetown, Indiana 47122

Date 4/19/00

Full name of second joint inventor, if any Alexander Pinkus Rafalovich

Second Inventor's signature *Alex Rafalovich*
Residence Louisville, Kentucky
Citizenship United States
Post Office Address 338 Flirtation Walk, Louisville, Kentucky 40219

Date 4/19/00

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- (6) Enclosed is a copy of the NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
- (7) Enclosed is a copy of the Associate Power of Attorney and Change of Correspondence Address, Change of Correspondence Address (PTO/SB/122) Form, Return Post Card and the stamped-received Post Card filed with the USPTO on December 18, 2001.

The undersigned respectfully requests that all previously granted powers of attorney are not revoked and all current powers of attorney remain in effect and that the correspondence address remain the same as filed December 18, 2001.

For the reasons set forth above, Applicants respectfully request that the holding of abandonment be withdrawn, or in the alternative, that the subject application be revived.

Respectfully Submitted,



Thomas M. Fisher
Registration No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070

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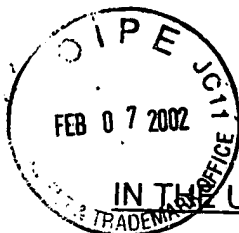
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PATENT - Docket 9D-HR-19273 - McDonald et al

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Neil Kent McDonald et al

: Examiner:

Serial No. 09/484,292

: Group Art Unit:

Filed: January 18, 2000

Title: Condenser

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Honorable Commissioner of Patents and Trademarks,
Washington, D.C.

Attention: Box Missing Parts

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SIR:

In response to the Notice to File Missing Parts of Nonprovisional Application dated April 6, 2000, attached is a properly signed declaration in compliance with 37 CFR 1.63 identifying the subject application by Application Number and Filing Date.

The Commissioner is hereby authorized to charge the required fee of \$130.00, plus any additional fees which may be required, to Deposit Account Number 07-0844.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks Washington, D.C. 20231, on 4/25/00
Date

GEORGE L. RIDEOUT, JR.

Name of applicant, assignee, or

Authorized Representative

George L. Rideout, Jr.

Signature

Date

Respectfully submitted,

George L. Rideout, Jr.

George L. Rideout, Jr.

Reg. No. 43,880

(502) 452-7792

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FORMALITIES LETTER



OC000000005035484

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

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COPY
APR 17 2000
LEGAL OPENING

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/484,292	01/18/2000	Neil Kent McDonald	9D-HR-19273-McDonald

H. Neil Houser
General Electric Company
Appliance Park 2-225
Louisville, KY 40225

Date Mailed: 04/06/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

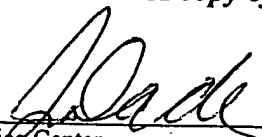
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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02/12/2002 SLUANG1 00000010 012394 09484292

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PATENT
9D-HR-19273

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: McDonald et al.

Serial No.: 09/484,292

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ASSOCIATE POWER OF ATTORNEY AND
CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
Washington, D.C. 20231

The undersigned, **H. Neil Houser**, having been appointed attorney-of-record in the above identified application hereby appoints the following attorneys or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John S. Beulick, Reg. No. 33,338; Patrick W. Rasche, Reg. No. 37,916; Michael Tersillo, Reg. No. 42,180; Bruce T. Atkins, Reg. No. 43,476; Thomas M. Fisher, Reg. No. 47,564; Robert B. Reeser III, Reg. No. 45,548; Daniel M. Fitzgerald, Reg. No. 38,880; Gordon F. Sieckmann, Reg. No. 28,667, all of Armstrong Teasdale LLP, One Metropolitan Square, Suite 2600, St. Louis, MO 63102.

This power of attorney appointment does not revoke previously granted powers of attorney, and all previously granted powers of attorney remain in effect.

Please direct all correspondence in connection with said application to:

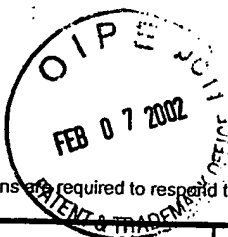
John S. Beulick
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63102

Date: 12/14/01

Respectfully submitted,

H. Neil Houser, Reg. No. 28,859
General Electric Company
Appliance Park, 2-225
Louisville, KY 40225

Please type a plus sign (+) inside this box → ☐



PTO/SB/122 (11-96)

Approved for use through 6/30/99. OMB 0651-0035
Patent and Trademark Office: US DEPARTMENT OF COMMERCE

Under the paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

CHANGE OF CORRESPONDENCE ADDRESS Application Address to: Assistant Commissioner for Patents Washington, DC 20231	Application Number	09/484,292
	Filing Date	01/18/2000
	First Named Inventor	McDonald
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	9D-HR-19273

Please change the Correspondence Address for the above-identified application to:

☐ Customer Number

☐

Type Customer Number here

Place Customer
Number Bar Code
Label Here

<input checked="" type="checkbox"/> Firm or Individual Name	John S. Beulick				
Address	Armstrong Teasdale LLP				
Address	One Metropolitan Square, Suite 2600				
City	St. Louis	State	MO	Zip	63102
Country	U.S.A.				
Telephone	(314) 621-5070	Fax	(314) 621-5065		

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124)

I am the:

☐

Applicant.

☐

Assignee of Record of the entire interest. Certificate under 37 CFR 3.73(b) is enclosed.

☒

Attorney or agent of record.

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Typed or Printed Name	H. Neil Houser, Reg. No. 28,859
Signature	<i>H. Neil Houser</i>
Date	12/14/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.